

**BOARD OF REAL ESTATE APPRAISERS  
BOARD MEETING MINUTES – January 3, 2006**

**MEMBERS PRESENT**

Kenneth Charest  
Bruce Bell  
Walter Bowditch  
Joseph Herlihy  
William Dobrowolski  
James Murphy  
Daniel Shipley

**MEMBERS ABSENT**

**OTHERS PRESENT**

Carol Leighton, Administrator  
Andrew Black, Assistant Attorney General  
Kim Baker-Stetson, Licensing Clerk  
Susan Greenlaw, Board Clerk

**Location:** Central Conference Room    **Start:** 9:00 a.m.    **Adjourn:** 2:25 p.m.

**CALL TO ORDER**

The meeting was called to order at 9:00 a.m.

**AGENDA MODIFICATIONS**

**OLD BUSINESS**

**Action on Minutes of December 6, 2005 Meeting**

A motion was made by Walter Bowditch to approve the minutes of the December 6, 2005 meeting with minor typographical errors; seconded by James Murphy. Unanimous.

**Action on Tabled Applications/Items**

Nothing for review.

**NEW BUSINESS**

**Hearings**

Rhonda P. Rabetsky (#REA-187): A Consent Agreement was reached and presented to the Board. A motion was made by Walter Bowditch to accept the Consent Agreement as presented; seconded by James Murphy. Bell, Bowditch, Charest, Dobrowoski, Murphy, and Shipley voted in the affirmative; none opposed; Herlihy abstained. Motion carried.

The Chair opened the hearing in the matter of Kevin M. King. King was present and not represented by an attorney. Assistant Attorney General Andrew Black attended as counsel for the Board. Kenneth Charest, Board Chair, acted as Hearing Officer. Public deliberations were conducted at the close of the hearing. A motion was made by Joseph Herlihy to allow the withdrawal of his appeal and give him six months to resubmit appraisals; seconded by Daniel Shipley. Unanimous.

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The hearing in the matter of Lisa Atkins was called to order. Daniel Shipley recused himself from the hearing. Atkins was present and not represented by an attorney. Assistant Attorney General Andrew Black attended as counsel for the Board. Kenneth Charest, Board Chair, acted as Hearing Officer. Public deliberations were conducted at the close of the hearing. A motion was made by Joseph Herlihy to continue the hearing until such time as the applicant has been given sufficient detail in denial letter and to reissue the denial letter providing additional information so she can adequately respond; seconded by James Murphy. Unanimous.

The hearing in the matter of Lionel Roy was called to order. Roy was present and not represented by an attorney. Assistant Attorney General Andrew Black attended as counsel for the Board. Kenneth Charest, Board Chair, acted as Hearing Officer. Public deliberations were conducted at the close of the hearing. A motion was made by Joseph Herlihy to continue the hearing until such time as the applicant has been given sufficient detail in denial letter and to reissue the denial letter providing additional information so he can adequately respond; seconded by Walter Bowditch. Unanimous.

**Administrator's Report**

Draft Legislative Proposal: The draft was sent to the Appraisal Subcommittee for review. Several recommended changes were submitted by the Subcommittee. The Board supported someone from the Appraisal Foundation to testify before the Legislature.

**Complaint Officer's Report**

Several cases are planned for presentation at the next meeting.

**Board Decision and Order**

A motion was made by Walter Bowditch to approve the Decision & Order in the matter of Betty A. Nelson (#REA-202); seconded by James Murphy. Bell, Bowditch, Charest, Dobrowolski, and Murphy voted In the affirmative; none opposed; Herlihy and Shipley abstained. Motion carried.

A motion was made by Walter Bowditch to approve the Decision & Order in the matter of Jane F. Cole (#REA-192); seconded by James Murphy. Bell, Bowditch, Charest, Dobrowolski, and Murphy voted In the affirmative; none opposed; Herlihy and Shipley abstained. Motion carried.

A motion was made by Walter Bowditch to approve the Decision & Order in the matter of Kendra A. Cole (#REA-193); seconded by Bruce Bell. Bell, Bowditch, Charest, Dobrowolski, and Murphy voted In the affirmative; none opposed; Herlihy and Shipley abstained. Motion carried.

A motion was made by Walter Bowditch to approve the Decision & Order in the matter of Shannon G. Mitchell (#REA-185); seconded by William Dobrowolski. Bell, Bowditch, Charest, Dobrowolski, and Murphy voted In the affirmative; none opposed; Herlihy and Shipley abstained. Motion carried.

**Review and Action on Applications and Education**

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Kim Baker-Stetson presented her report on activity between December 6, 2005 and January 3, 2006. There were no new applications for review.

**Correspondence**

Appraisal Subcommittee Letter: At the October 2005 meeting the Board discussed several individuals who are prohibited from appraising Federally Related Transactions. The Subcommittee recommended that these licenses contain the statement “Not Eligible to Appraise Federally Related Transactions”. These individuals were asked to return their licenses and received new licenses with a statement “Not Eligible to be Listed on the National Registry of the Appraisal Subcommittee”. The Subcommittee followed up indicating that the Board did not meet their recommendation. The Subcommittee asked the Board to recall the paper “transitional licenses” and reissue them with a conspicuous overstamp stating specifically, “Not Eligible to Appraise Federal Related Transactions” and to disclose prominently on the Board’s web site that these appraisers are not eligible to perform appraisals in connection with federally related transactions.

A motion was made by Walter Bowditch to comply with the Subcommittee’s recommendations and reissue those licenses with the recommended overstamp as well as a include cover letter to those licensees explaining that this is recommended by the Subcommittee; seconded by Daniel Shipley. Bowditch, Charest, Herlihy, Murphy, and Shipley voted in the affirmative; Bell and Dobrowoski opposed. Motion carried.

A motion was made by Joseph Herlihy to request the Assistant Attorney General to review the current law to see if it contains the authority to refuse to renew transitional licensees without further exam; seconded by James Murphy. Unanimous.

Letter from Frederick J. Conti: The Board reviewed a letter expressing disagreement with the Board’s denial of his application to sit for the certified residential appraiser exam. A new denial letter will be sent to Mr. Conti.

**Election of Officers**

A motion was made by James Murphy to elect Kenneth Charest as Chair; seconded by Walter Bowditch. Unanimous.

A motion was made by Bruce Bell to elect Walter Bowditch as Vice-Chair and Joseph Herlihy as Complaint Officer; seconded by Daniel Shipley. Unanimous.

**Next Meeting Scheduled for February 7, 2006**

**OTHER BUSINESS**

Discussed the appraisal review process.

**ADJOURN**

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Being no further board business the meeting was adjourned at 2:25 p.m.

Respectfully submitted,

Susan Greenlaw  
Board Clerk